

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No: 5760-01301/VRTS0066DIV

Inventor(s):

Han F. van Rietschote

Title: Storage Management System

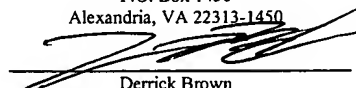
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Derrick Brown

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☒ the additional information identified below in paragraph 3.

- ☐ A copy of each required reference listed on the Form PTO-1449 is enclosed.
- ☒ The references listed on the Form PTO-1449 were previously cited in application serial no. 10/140,614 to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.
- ☐ The present application is a U.S. national patent application filed after June 30, 2003, or an international application that entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.

1. This Information Disclosure Statement is submitted:

- a. ☒ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
- ☐ before the mailing date of a first Office Action on the merits; or
- ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.

2. It is hereby certified:

- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the information disclosure statement;
- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Statement; or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three (3) months prior to the filing of the Statement.

3. ☒ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

U.S. Application Serial No. 10/616,437	(5760-12200)
U.S. Application Serial No. 10/109,406	(5760-00300)
U.S. Application Serial No. 10/109,186	(5760-00400)
U.S. Application Serial No. 10/108,882	(5760-00200)

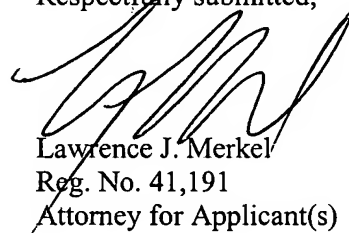
4. For each non-English language reference listed on the attached Form PTO-1449:

- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or

- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-01301/LJM.

Respectfully submitted,



Lawrence J. Merkel
Reg. No. 41,191
Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN,
KOWERT & GOETZEL, P.C.
P. O. Box 398
Austin, Texas 78767
(512) 853-8800

Date: April 9, 2004

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO. 5760-01301 VRTS 0066DIV	SERIAL NO. Unknown GROUP: Unknown
	APPLICANT: van Rietschote	
	FILING DATE: Herewith	

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		5,852,724	12/22/98	Glenn, II, et al.			
		5,872,931	2/16/99	Chivaluri			
		6,029,166	2/22/00	Mutalik, et al.			
		6,363,462	3/26/02	Bergsten			
		6,341,329	1/22/02	LeCrone, et al.			
		6,324,627	11/27/01	Kricheff, et al.			
		6,298,428	10/2/01	Munroe, et al.			
		6,298,390	10/2/01	Matena, et al.			
		6,075,938	6/13/00	Bugnion, et al.			
		5,944,782	8/31/99	Noble, et al.			
		6,496,847	12/17/02	Bugnion, et al.			
		6,397,242	5/28/02	Devine, et al.			
		6,075,938	6/13/00	Bugnion, et al.			
		5,621,912	4/15/97	Borruso, et al.			
		4,969,092	11/6/90	Shorter			
		4,912,628	3/27/90	Briggs			
		5,408,617	4/18/95	Yoshida			
		5,257,386	10/26/93	Saito			
		6,151,618	11/21/00	Wahbe, et al.			
		2003/0033431	2/13/03	Shinomiya			
		2001/0016879	8/23/01	Sekiguchi, et al.			
		6,230,246	5/01	Lee, et al.			
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		6,438,642	8/02	Kamel Shaath			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

		Kasidit Chanchio, et al., "Data Collection and Restoration for Heterogeneous Process Migration," 1997, 6 pages.
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Information Disclosure Statement--PTO 1449 (modified)

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO. 5760-01301 VRTS 0066DIV APPLICANT: van Rietschote FILING DATE: Herewith	SERIAL NO. Unknown GROUP: Unknown
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Veritas, "Executive Overview," Technical Overview, pages 1-9.;
		Kinshuk Govil, et al., "Cellular Disco: Resource Management Using Virtual Clusters on Shared-Memory Multiprocessors," 17 th ACM Symposium on Operating Systems Principles (SOSP'99), Published as Operating Systems Review 34(5):154-169, December 1999, pages 154-169.
		Edouard Bugnion, et al., "Disco: Running Commodity Operating Systems on Scalable Multiprocessors," Computer Systems Laboratory, Stanford, CA, 33 pages.
		"White Paper, GSX Server," VMware, Inc., December 2000, pages 1-9.
		"Vmware GSX Serve, The Server Consolidation Solution," VMware, Inc., 2001, 2 pages.
		"Manage Multiple Worlds., From Any Desktop," VMware, Inc., 2000, 2 pages.
		"VMware ESX Server, The Server Consolidaton Solution for High-Performance Environments," VMware, Inc., 2001, 2 pages.
		Melinda Varian, "VM and the VM Community: Past, Present, and Future," Operating Systems, Computing and Information Technology, Princeton Univ., August 1997, pp. 1-67.
		VERITAS, "Comparison: Microsoft Logical Disk Manager and VERITAS Volume Manager for Windows," May 2001, 4 pages.
		VERITAS, "How VERITAS Volume Manager Complements Hardware RAID in Microsoft Server Environments," May 2001, pp. 1-7.
		VERITAS, "VERITAS Volume Manager for Windows, Best Practices," May 2001, pp. 1-7.
		Kasidit Chanchio, et al., "A Protocol Design of Communication State Transfer for Distributed Computing," Publication date unknown, 4 pages.
		SourceForge™, "Project: openMosix: Document Manager: Display Document," 14 pages.
		OpenMosix, "The openMosix HOWTO: Live free() or die (), " May 7, 2003, 3 pages.
		OpenMosix, "openMosix Documentation Wiki - don't," May 7, 2003, 2 pages.
		Sapuntzakis, et al., "Optimizing the Migration of Virtual Computers," Proceedings of the Fifth Symposium on Operating Systems Design and Implementation, December 2002, 14 pages.
		Helfrich, et al., "Internet Suspend/Resume," ISR Project Home Page, 2003, 4 pages.
		Kozuch, et al., "Internet Suspend/Resume," IRP-TR-02-01, April 2002, Accepted to the Fourth IEEE Workshop on Mobile Computing Systems and Applications, Callicoon, NY, June 2002, Intel Research, 9 pages.
		Kozuch, et al., "Efficient State Transfer for Internet Suspend/Resume," IRP-TR-02-03, May 2002, Intel Research, 13 pages.
		Tolia, et al., "Using Content Addressing to Transfer Virtual Machine State," IRP-TR-02-11, Summer 2002, Intel Research, 11 pages.
		Dejan S. Milogicic, et al., "Process Migration," August 10, 1999, 49 pages.

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
	Barrie Sosinky, Ph.D., "The Business Value of Virtual Volume Management, In Microsoft Window NT and Windows 2000 Netowrks," VERITAS, A white paper for administrators and planners, October 2001, pp.1-12.	
	VERITAS, "VERITAS Volume Manager for Windows NT," Version 27, 2001, 4 pages.	
	"BladeFram™ System Overview," Egenera, Inc., 2001 2 pages.	
	White Paper, "The Egenera™ Processing Area Network (PAN) Architecture," Egenera, Inc., 2002, 20 pages.	
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	White Paper, "The Pros and Cons of Server Clustering in the ASP Environment," Egenera, Inc., 2001, 10 pages.	
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	Position Paper, "The Linux Operating System: How Open Source Software Makes Better Hardware," Egenera, Inc., 2001, 2 pages.	
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	"Simics: A Full System Simulation Platform," Reprinted with permission from Computer, February 2002, © The Institute of Electrical and Electronics Engineering, Inc., pp. 50-58.	
	"Introduction to Simics Full-System Simulator without Equal," Virtutech, July 8, 2002, 29 pages.	
	"The Technology of Virtual Machines," A Conneectix White Paper, Connectix Corp., 2001, 13 pages.	
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	"About LindowsOS," Lindows.com, http://www.lindows.com/lindows_products_lindowsos.php , 2002, 2 pages.	
	"Savannah: This is a Savannah Admin Documentation," Savannah, Free Software Foundation, Inc.© 2000-2002, 31 pages.	
	"Virtuozzo Basics," Virtuozzo, http://www.sw-soft.com/en/products/virtuozzo/basics/ , © 1994-2002 SWsoft, printed from web on 12/13/2002, 2 pages.	
	"What is Virtual Environmnet(VE)?," SWsoft, http://www.sw-soft.com/en/products/virtuozzo/we/ , © 1994-2002 SWsoft, printed from web on 12/13/2002, 2 pages.	
	"Products," Netraverse, Inc, 2002, http://www.netraverse.com/products/index.php , printed from web on 12/13/2002, 1 page.	
	"NeTraverse Win4Lin 4.0 - Workstation Edition," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/ , printed from web on 12/13/2002, 1 page.	
	John Abbott, Enterprise Software, "VMware Heads Toward Utility Computing With New Dynamic Management Tools," July 1, 2003, 4 pages.	

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
		"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/benefits.php , printed from web on 12/13/2002, 1 page.
		"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/features.php , printed from web on 12/13/2002, 2 page.
		"Win4Lin Desktop 4.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/win4lin40/requirements.php , printed from web on 12/13/2002, 2 page.
		"Win4Lin Terminal Server 2.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/wts , printed from web on 12/13/2002, 1 page.
		"Win4Lin Terminal Server 2.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/wts/benefits.php , printed from web on 12/13/2002, 1 page.
		Win4Lin Terminal Server 2.0," Netraverse, Inc, 2002, http://www.netraverse.com/products/wts/features.php , printed from web on 12/13/2002, 2 pages.
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		Win4Lin," Netraverse, Inc, 2002, http://www.netraverse.com/support/docs/Win4Lin-whitepapers.php , printed from web on 12/13/2002, 5 pages.
		"Virtual PC for Windows," Connectix, Version 5.0, 2002, 2 pages
		Dave Gardner, et al., "WINE FAQ," © David Gardner 1995-1998, printed from www.winehq.org , 13 pages.
		"Winelib User's Guide," Winelib, www.winehq.org , 26 pages.
		John R. Sheets, et al. "Wine User Guide," www.winehq.org , pages 1-53.
		"Wine Developer's Guide," pages, www.winehq.org , 1-104.
		Tolia, et al., "Opportunistic Use of Content Addressable Storage for Distributed File Systems," IRP-TR-03-02, June 2003, Intel Research, To Appear in the Proceedings of the 2003 USENIX Annual Technical Conference, San Antonio, TX, 16 pages.
		Flinn, et al., "Data Staging on Untrusted Surrogates," IRP-TR-03-03, March 2003, Intel Research, To Appear in the Proceedings of the 2 nd USENIX Conference on File and Storage Technologies, San Francisco, 16 pages.
		VMware, Inc., "VMware Control Center," 2003, 3 pages.
		InfoWorld, Robert McMillan, "VMware Launches VMware Control Center," 2003, 2 pages.
		VMware, Inc., "VMware Control Center: Enterprise-class Software to Manage and Control Your Virtual Machines," 2003, 2 pages.
		Xian-He Sun, et al., "A Coordinated Approach for Process Migration in Heterogeneous Environments," 1999, 12 pages.

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